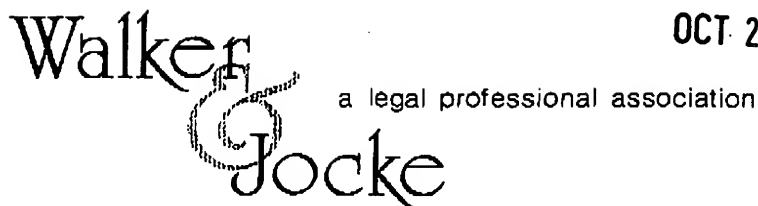


RECEIVED
CENTRAL FAX CENTER

OCT 21 2004



Ralph E. Jocke
Patent
&
Trademark Law

FACSIMILE TRANSMISSION COVER SHEET

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Art Unit 3621
Commissioner for Patents
U.S. Patent and Trademark Office

FAX NUMBER: (703) 872-9306

DATE: October 21, 2004

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

COMMENTS: Please refer to the attached **Notice of Appeal** for filing in Application
09/193,787.

If you do not receive all pages, contact the sender IMMEDIATELY at the number listed below.

The information contained in this facsimile message is confidential and intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited and will be considered at a tortious interference in our confidential business relationships. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address below via the U.S. Postal Service. Thank you.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(b) AND 1.6(d)

TRANSMISSION

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (703) 872-9306.

Date: 10/21/2004

Ralph E. Jocke

330 • 721 • 0000
MEDINA

330 • 225 • 1669
CLEVELAND

330 • 722 • 6446
FACSIMILE

rej@walkerandjocke.com
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601

RECEIVED 002
CENTRAL FAX CENTER
OCT 21 2004

Practitioner's Docket No. D-1077+1PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Previous Appeal No.: 2003-1651

Appellants: Jay Paul Drummond, et al.

Application No.: 09/193,787

Filed: November 17, 1998

Title: Automated Banking Machine Apparatus and System

Confirmation No.: 2446

Art Unit: 3621

Examiner: Jalatee Worjloh

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 1.191)**

Appellants hereby request reinstatement of their appeal. Appellants hereby appeal to the Board the decision of the Primary Examiner, mailed July 28, 2004, regarding all unallowed claims (including rejected claims 1-30). No fee is deemed required.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b), the fee for filing the Notice of Appeal is:

Other than a small entity \$340.00

Notice of Appeal fee due \$ -0-

(Notice of Appeal from the Primary Examiner to the Board—page 1 of 2)

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Appellants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ -0-

TOTAL FEE DUE \$ -0-

5. FEE PAYMENT

No fee is deemed required. A fee has already been paid for a previously filed Notice of Appeal. If necessary, please apply the previously paid fee herein.

Nevertheless, the Commissioner is authorized to charge any necessary fee associated with the filing of this Notice of Appeal and any other fee due to Deposit Account No. 09-0428 (InterBold).

6. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Deposit Account No. 09-0428 (InterBold).

If any additional fee for claims is required, charge Deposit Account No. 09-0428 (InterBold).


SIGNATURE OF PRACTITIONER

Reg. No. 31,029
Customer No. 28995
Tel. No.: (330) 721-0000

Ralph E. Jocke
WALKER & JOCKE
231 South Broadway
Medina, OH 44256

(Notice of Appeal from the Primary Examiner to the Board—page 2 of 2)